

DOCKET NO.: HENK-0060/H4714

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Beatrix Kottwitz, et al.

Confirmation No.: 7927

Application No.: 10/774,018

Group Art Unit: 1751

Filing Date: February 6, 2004

Customer No.: 38857

For: DETERGENT AND CLEANING AGENT WITH HYBRID ALPHA-AMYLASES

EXPRESS MAIL LABEL NO: EL 999 299 335 US
DATE OF DEPOSIT: October 12, 2004

EL999299335US

MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated **August 12, 2004**, which sets forth a two-month period for reply ending on **October 12, 2004**, (said period being eligible for extensions under 37 CFR § 1.136(a)), enclosed herewith for filing is:

Declarations and Powers of Attorney

- ☒ A Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document was attached to the above-identified specification.
- ☐ A Combined Declaration and Power of Attorney executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with the above-identified application specification. Such deletion/addition of inventors is specifically provided for in 37 CFR § 1.48.

- ☐ A copy of the original Declaration and Power of Attorney, executed by the inventor(s), as filed in parent application no.
- ☐ A copy of the Power of Attorney with Revocation filed on
- ☐ A Combined Power of Attorney with Revocation and Statement Under 3.73(b).
- ☐ An Associate Power of Attorney executed by who is/was listed on the original Declaration/Power of Attorney.

Drawings

- ☒ **Two (2) sheets of replacement drawings comprising Figures 1 and 2 in compliance with 37 CFR § 1.84.**

Sequence Listing (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- ☒ Paper copy of Sequence Listing
- ☒ Diskette containing Sequence Listing in computer readable form
- ☒ Amendment directing entry of Sequence Listing in specification
- ☒ Statement to Support Filing of Sequence Listing

Claim for Small Entity Status

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s), by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
 - ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization

Miscellaneous Items

- ☒ **A copy of the Notice to File Missing Parts.**
- ☒ **English Translation of PCT parent application PCT/EP02/08391, and statement of accuracy of English translation.**
- ☒ **Certified copy of German priority application DE 101 38 753.9.**
- ☒ **Request for Corrected Filing Receipt.**
- ☐ Request for Refund Due to Small Entity Status.

- ☐ Request for Refund Due to Fee Calculation Error.
- ☐ A substitute specification in compliance with 37 CFR § 1.52.

Fee Calculation and Extension of Time

- ☐ Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due to and through , comprising an extension of the shortened period of months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
MISSING PARTS SURCHARGE	\$65	\$	\$130	\$ 130
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$215	\$	\$430	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$490	\$	\$980	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$765	\$	\$1530	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1040	\$	\$2080	\$
TOTAL FEE DUE		\$		\$ 130

- ☒ **A check in amount of \$130 is attached to cover the surcharge** and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

NOTE: Applicant respectfully asserts that an English translation of the application was submitted on February 6, 2004. Enclosed is a copy of the return postcard, bearing the PTO date stamp, which clearly lists the submission of the English translation of the application. However, *as a courtesy*, enclosed is a copy of the English translation of the application as previously submitted on February 6, 2004. Also enclosed is a *Statement of Accuracy of Translation* of the English translation. **It is respectfully asserted that no surcharge fee of \$130 for the filing of the English translation is now required.**

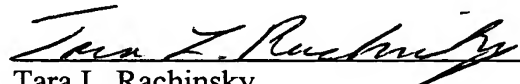
- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is

further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of the fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.

This sheet is attached in duplicate.

Date: *October 12, 2004*


Tara L. Rachinsky
Registration No. 47,875

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



**RECEIVED BY THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Paper: Patent Application Transmittal Letter in duplicate w/Express Mail sticker; Copy of Parent Application (PCT/EP02/08391 (total pages 1 - 82) including: Specification on pages 1 - 75, 46 claims on pages 76 -82; English Translation of Application total pages 113 including Specification on pages 1 - 104, 46 claims on pages 105 -113; 2 Sheets of formal drawings comprising Figures 1, 2; Preliminary Amendment ; Unexecuted Declaration and Power of Attorney; Paper copy of Sequence Listing (33 pages, return receipt postcard; Please charge Deposit Account No. 23-3050 in the amount of \$986.00; all via Express Mail No. EL 970383125 US

Applicant(s): Beatrix Kottwitz, Roland Breves, Karl-Heinz Maurer

Title: Detergent and Cleaning Agent with Hybrid Alpha

Amylases

Serial No.: Not Yet Assigned

Filed: Herewith

Docket No.: HENK-0060/H4714

Date Sent: February 6, 2004

Sent by: Caldwell/Morreale/Hubbard/P.Salazar

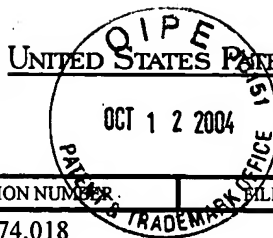


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10/774018

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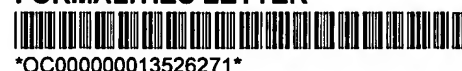
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/774,018	02/06/2004	Beatrix Kottwitz	HENK-0060/H4714

38857
WOODCOCK WASHBURN LLP
ONE LIBERTY PLACE, 46TH FLOOR
PHILADELPHIA, PA 19103

CONFIRMATION NO. 7927
FORMALITIES LETTER



OC000000013526271

Date Mailed: 08/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

-10/15/2004 MBLANCO 00000001 10774018

FILED UNDER 37 CFR 1.53(b)

01 FC:1051

130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-2.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604

(September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$260** for a Large Entity

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE